

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

MAURICE HAWKINS,

Plaintiff,

v.

Civil Action No. **3:21CV708**

JUDGE MS. SCOTT,

Defendant.

MEMORANDUM OPINION

By Memorandum Order entered on November 24, 2021, the Court conditionally docketed Plaintiff's action. (ECF No. 3.) At that time, the Court warned Plaintiff that he must keep the Court informed of his current address or if he was released. By Memorandum Order entered on April 22, 2022, the Court directed Plaintiff to file a particularized complaint within fourteen (14) days. (ECF No. 20.) On May 6, 2022, the United States Postal Service returned the April 22, 2022 Memorandum Order to the Court marked, "RETURN TO SENDER," "NOT DELIVERABLE AS ADDRESSED," and, "UNABLE TO FORWARD."¹ (ECF No. 21.) The Court could have dismissed Plaintiff's action for failing to update his address, but did not.

On June 29, 2022, the Court received a Motion to Appoint Counsel from Plaintiff. (ECF No. 24.) By Memorandum Order entered on July 15, 2022, the Court denied the Motion to Appoint Counsel and once again directed Plaintiff to file a particularized complaint. (ECF No. 25.) However, on July 25, 2022, the United States Postal Service returned the July 15, 2022 Memorandum Order to the Court marked, "RETURN TO SENDER" and "Not at Jail." (ECF

¹ The Court mailed the Memorandum Order to Plaintiff a second time with a corrected address and the Memorandum Order was again returned by the United States Postal Service with the note, "Not at Jail."

No. 26.) Since that date, Plaintiff has not contacted the Court to provide a current address.

Plaintiff's failure to contact the Court and provide a current address indicates his lack of interest in prosecuting this action. *See* Fed. R. Civ. P. 41(b).² Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order shall accompany this Memorandum Opinion.

Date: 8-15-2022
Richmond, Virginia



M. Hannah Lauck
United States District Judge

² This Rule allows for dismissal “[i]f the plaintiff fails to prosecute or to comply with [the Federal Rules of Civil Procedure] or a court order.” Fed. R. Civ. P. 41(b).